

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

) No. C 09-05729 WHA

STIPULATION AND ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE

CITY OF BERKELEY; ELIZABETH,
BASHAN, a police officer of the City of
Berkeley in her individual capacity,

Defendants.

The parties, through their respective counsel, hereby stipulate to continue the case management conference presently set for April 1 at 3:00 P.M. to April 22 at 11:00 A.M. This stipulation is based on conflicts in plaintiff's counsel's calendar as described in the declaration below.

DECLARATION OF COUNSEL

I, DAVID J. BEAUVAIS, declare as follows:

1. I am the attorney for the plaintiff in the above-entitled action. I make this declaration of my own personal knowledge and if called as a witness, I would testify competently to the facts stated herein.

2. I am attorney of record in the case of Schwenk v. County of Alameda which is set for a case management conference on April 1 at 3:00 P.M. before Judge Armstrong in Oakland.

3. The following Thursday, I am scheduled to appear in the morning in Santa Cruz County Superior Court for a trial readiness hearing in the case of People v. Raymon Tate. His trial is scheduled to commence on the following Monday and is anticipated to last five days.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 25, 2010 at Oakland, California.

/s/ David J. Beauvais
DAVID J. BEAUVAIS

IT IS SO STIPULATED.

DATED: March 25, 2010

/s/ David J. Beauvais
DAVID J. BEAUVAIS
Attorney for Plaintiff

DATED: March 25, 2010

/s/ Matthew Orebic
MATTHEW OREBIC
Office of the City Attorney
Attorney for Defendants

ORDER

The court having considered the declaration of counsel and the stipulation of the parties and good cause appearing therefor:

IT IS HEREBY ORDERED that the case management conference is continued from April 29, 2010, at 11:00 a.m. There will be no further continuances. April 22, 2010 at 11:00 A.M.

UNITED STATES DISTRICT JUDGE

